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10/670,873	09/25/2003	Joseph C. Lee	RAR379.01	5791
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RICHARD A. RYAN ATTORNEY AT LAW 8497 N. MILLBROOK AVENUE SUITE 101 FRESNO, CA 93720			EXAMINER LE, LANA N	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/670,873	Applicant(s) LEE, JOSEPH C.	
	Examiner Lana N. Le	Art Unit 2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 2/13/07 and 3/26/07.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments and amendments with respect to claims 1-32 have been considered but are moot in view of the new ground(s) of rejection. Since the independent claim language are changed to alternative "or" language, the further limitation after "or" does not need to be met.

2. Applicant's affidavit by means of an email sent to a friend talking briefly about something he thinks of making is not enough evidence as required by rule 37 CFR 1.131. The evidence submitted is insufficient to establish a reduction to practice of the invention in this country or a NAFTA or WTO member country prior to the effective date of the Bryson and Hwang references. Applicant merely rely on an email as an exhibit for reduction to practice which did not clearly explain what it is applicant is trying to make or invent, just something that he/she thought is novel in the art. There is not sufficient detail of conception and diligence prior to reference and no detail of actual reduction to practice prior to the references used. Therefore, there is not enough evidence in order to allow the examiner to draw a legal conclusion of prior invention.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which the subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-2, 4-6, and 8-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stein (US 5,628,055) in view of Rydbeck et al (US 5,890,074) (hereinafter Rydbeck).

Regarding claim 1, Stein discloses a wafer mobile phone platform system (fig. 13-14) for transmitting voice and data over a wireless communication network, the system comprising:

a mobile phone wafer (295 & 296), a transceiver unit (inherent transceiver of mobile phone 295) on the mobile phone wafer, the transceiver unit having the transceiver unit having telephone circuitry and component for connection to the wireless communication network for sending and receiving voice and data communications; an antenna (antenna 315) coupled to the transceiver unit of mobile phone 295, 309 (fig. 14); a memory storage device (memory of mobile phone 295) on the mobile phone wafer (295 & 296), the memory storage device connected to the transceiver (inherent within phone 295) and configured to store data accessible by the transceiver unit; a battery (inherent battery of phone 295) on the mobile phone wafer (295 & 296), the source of electrical power operatively connected to the transceiver unit (transceiver of phone 295); a communication device (296, 311 of figs. 13, 14) on the mobile phone wafer (295 & 296; 311 and 309), wherein the mobile phone wafer can be selectively used a stand alone mobile phone (using antenna 315) for wireless voice and data communication over the wireless communication network (fig. 13; fig. 14); the communication device (295, 311) configured to transmit voice and data communications

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between the transceiver unit (transceiver of phone 295) and the peripheral device (headset) and the mobile terminal wafer (313, 309) is adaptable for connection to a peripheral device (headset) and operatively connected to the peripheral device (via wireline 322, or short range connection 318) to interface the transceiver unit (transceiver of phone 295) with the peripheral device (headset).

Stein does not explicitly disclose the mobile terminal wafer communicating with the peripheral device (headset) is a mobile phone, and the communication device comprising a short range radio frequency transceiver. However, in the same field of endeavor, Rydbeck discloses the mobile terminal wafer (510 & 530; fig. 6, wherein the host electronic system is not limited to just portable computers but other portable devices) (col 9, lines 37-41, lines 54-58) is configured to operatively connect to a peripheral device (headset) (either wireline connection as in fig. 7 or short range connection as in figure 6; col 7, lines 43-58), and the communication device comprising a short range radio frequency transceiver (transceiver 540 for communicating the short range headset link 550). It would have been obvious to one of ordinary skill in the art at the time the invention was made to allow the mobile wafer to connect to a peripheral device in order to not disturb others. Stein and Rydbeck et al do not disclose the mobile phone wafer is operatively connected to the peripheral device (headset) to interface the transceiver unit with the peripheral device to allow a user to utilize the peripheral device for wireless voice and data.

Regarding claim 2, Stein and Rydbeck disclose the system according to claim 1, wherein Stein and Rydbeck discloses the modified mobile phone wafer (313 and 31

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wherein the laptop computer is not limited to computers but other electronic devices as disclosed by Rydbeck) is configured to be coupled with the peripheral device (coupled via wireline/wireless headset).

Regarding claim 4, Stein and Rydbeck disclose the system according to claim 1, wherein the mobile phone wafer (295 & 296) comprises at least one of an on/off switch, a headphone jack and a display screen (display; see fig. 13 of Stein).

Regarding claim 5, Stein and Rydbeck disclose the system according to claim 1, wherein the peripheral device comprises one of: a cellular phone; an earpiece having a speaker and a microphone, a headset (560 of Rydbeck) having a speaker and a microphone, a laptop computer, a desktop computer, a digital camera, a video camera, a PDA, a printer, a tape recorder; a cordless telephone; a game/message console; and a GPS unit.

Regarding claim 6, Stein and Rydbeck disclose the system according to claim 1, wherein the peripheral device (316) is an individual reception device configured to allow a user to interface (via the keypad and the function keys of 295) with the transceiver (transceiver of mobile wafer 295 & 296) by voice communication to make and receive telephone calls (see fig. 13, 14 of Stein; fig. 6 of Rydbeck).

Regarding claim 8, Stein and Rydbeck disclose the system according to claim 1, wherein Rydbeck explicitly discloses the communication device (930) is a short range radio frequency transceiver (970 to communicate short range with headset 980).

Regarding claim 9, Stein and Rydbeck disclose the system according to claim 8, wherein Stein and Rydbeck do not specifically disclose the short range radio frequency

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transceiver is one of a Bluetooth module and a Wi-Fi module. However, it is notoriously old and well known in the art for the short range radio frequency transceiver to be a Bluetooth module or a Wi-Fi module. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have the short range transceiver be a Bluetooth module in order to utilize a module with a standardized specification or a 802.11b standard module for a variety of devices, i.e. headset, cell phones, printers to communicate with each other via a short range link in a picocell network.

5. Claims 7, 11-20, 25-26, 28, and 30-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stein (US 5,628,055) in view of Rydbeck et al (US 5,890,074) (hereinafter Rydbeck) and further in view of Bryson (US 2004/0,185,777).

Regarding claim 7, Stein and Rydbeck disclose the system according to claims 1, wherein the peripheral device is a cellular phone comprising an inherent phone body having a standard twelve key keypad one or more function keys and a display panel (Bryson; para. 2).

Regarding claim 11, Stein and Rydbeck disclose the system according to claim 1, wherein they do not disclose the communication device is adaptable for a wired connection to the peripheral device. Bryson discloses the communication device is adaptable for a wired connection to the peripheral device (another portable device). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have a wired connection in order to allow different ways of communication to another portable device.

Regarding claim 12, Stein and Rydbeck disclose the system according to claim 11, wherein the wired connection is a USB, serial, parallel or firewire connection (Bryson; para. 2).

Regarding claim 13, Stein and Rydbeck disclose the system according to claim 1, wherein Stein and Rydbeck do not disclose the mobile phone wafer is adaptable for connection to a plurality of peripheral devices and the mobile phone wafer can be operatively connected to the plurality of peripheral devices to interface the transceiver unit with the peripheral devices to allow the user to selectively utilize the peripheral devices for wireless voice and data communication. Bryson discloses the mobile phone wafer is adaptable for connection to a plurality of peripheral devices (other portable devices) and the mobile phone wafer can be operatively connected to the plurality of peripheral devices to interface the transceiver unit with the peripheral devices to allow the user to selectively utilize the peripheral devices for wireless voice and data communication (para. 2). It would have been obvious to one of ordinary skill in the art at the time the invention was made to communicate with a plurality of devices in order to allow a piconet network in a Bluetooth environment.

Regarding claim 14, it is rejected for the same reason as claim 1, wherein Stein discloses an inherent display screen (display screen of mobile phone 295) on the mobile phone wafer (295 & 296); Bryson discloses the mobile phone wafer is configured to operatively connect (via Bluetooth) to a plurality of peripheral devices (other devices), the memory device is accessible by the peripheral device when the mobile phone wafer is communicating with the peripheral device. It would have been obvious to one of

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ordinary skill in the art at the time the invention was made to communicate with a plurality of devices in order to allow a piconet network in a Bluetooth environment.

Regarding claim 15, Stein, Rydbeck, and Bryson disclose the system according to claim 14 wherein the mobile phone wafer comprises an on/off switch (inherent on/off switch of mobile phone 295; Stein).

Regarding claim 16, Stein and Rydbeck disclose the system according to claim 14, wherein the peripheral device comprises one of: a cellular phone; an earpiece having a speaker and a microphone, a headset (560 of Rydbeck) having a speaker and a microphone, a laptop computer, a desktop computer, a digital camera, a video camera, a PDA, a printer, a tape recorder; a cordless telephone; a game/message console; and a GPS unit.

Regarding claim 17, Stein, Rydbeck, and Bryson disclose the system according to claim 14, wherein Rydbeck discloses an individual reception device (920 and inherent microphone of phone) configured to allow a user to interface (via speaker and microphone) with the transceiver (transceiver of mobile phone) by voice communication so as to make and receive telephone calls. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have an individual reception device for the user to transmit and receive conventional telephone calls via the mobile phone antenna.

Regarding claims 18 and 26, Stein, Rydbeck and Bryson disclose the system according to claims 14 and 25 respectively, wherein the peripheral device is a cellular

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phone comprising an inherent phone body having a standard twelve key keypad one or more function keys and a display panel (Bryson; para. 2).

Regarding claim 19, Stein, Rydbeck and Bryson disclose the system according to claim 14 respectively, wherein Rydbeck explicitly discloses the communication device (930) is a short range radio frequency transceiver (970 to communicate short range with headset 980).

Regarding claim 20, Stein, Rydbeck, and Bryson disclose disclose the system according to claim 8, wherein Stein, Rydbeck, and Bryson do not explicitly disclose the short range radio frequency transceiver is at least one of a Bluetooth module and a Wi-Fi module. However, it is notoriously old and well known in the art for the short range radio frequency transceiver to be a Bluetooth module. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have the short range transceiver of Rydbeck be a Bluetooth module in order to utilize a module with a standardized specification for a variety of devices, i.e. headset, cell phones, printers to communicate with each other via a short range link in a picocell network.

Regarding claim 25, it is rejected for the same reason as claim 1, it is rejected for the same reason as claim 1, wherein Stein discloses an inherent display screen (display screen of mobile phone 295) operatively coupled to the mobile phone's transceiver unit, on the mobile phone wafer (295 & 296). Stein does not explicitly disclose an individual reception device in communication with the communication device. Rydbeck discloses an individual reception device (920 and inherent microphone of phone) in communication with the communication device (930) (fig. 6), the individual reception

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device configured to allow a user to interface (via speaker and microphone) with the transceiver (transceiver of mobile phone) by voice communication so as to make and receive telephone calls. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have an individual reception device for the user to transmit and receive conventional telephone calls via the mobile phone antenna.

Bryson discloses the mobile phone wafer is configured to operatively connect (via Bluetooth) to a plurality of peripheral devices (other devices), the memory device is accessible by the peripheral device when the mobile phone wafer is communicating with the peripheral device. It would have been obvious to one of ordinary skill in the art at the time the invention was made to communicate with a plurality of devices in order to allow a piconet network in a Bluetooth environment.

Regarding claim 28, Stein, Rydbeck, and Bryson disclose the system according to claim 25, wherein Stein, Rydbeck, and Bryson do not specifically disclose the short range radio frequency transceiver is one of a Bluetooth module and a Wi-Fi module. However, it is notoriously old and well known in the art for the short range radio frequency transceiver to be a Bluetooth module or a Wi-Fi module. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have the short range transceiver be a Bluetooth module in order to utilize a module with a standardized specification or a 802.11b standard module for a variety of devices, i.e. headset, cell phones, printers to communicate with each other via a short range link in a picocell network.

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Regarding claims 30 and 32, Stein, Rydbeck and Bryson disclose the system according to claims 29 and 25 respectively, wherein Bryson discloses the communication device is adaptable for a wired connection to the peripheral device (another portable device).

Regarding claim 31, Stein, Rydbeck and Bryson disclose the system according to claim 30 respectively, wherein the wired connection is a USB, serial, parallel or firewire connection (Bryson; para. 2).

6. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Stein (US 5,628,055) and Rydbeck and further in view of Hwang (US 2005/0,037,709).

Regarding claim 3, Stein and Rydbeck disclose the system according to claim 2, wherein Stein and Rydbeck do not disclose the mobile phone wafer is configured to be received on or in the peripheral device. Hwang discloses the mobile phone wafer is configured to be docked with or inserted into the peripheral device (fig. 1, 4). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have the mobile phone be received on the peripheral device in order to allow the peripheral device to obtain data therefrom for i.e. printing.

7. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Stein and Rydbeck and further in view of Shin (US 6,006,109).

Regarding claim 10, Stein and Rydbeck disclose the system according to claim 8, wherein Stein and Rydbeck do not disclose the communication device further comprises a headphone jack. Shin discloses a communication device comprising a headphone jack (522). It would have been obvious to one of ordinary skill in the art at

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the time the invention was made to substitute the headset link of Rydbeck et al with a headphone jack in order to allow the user to listen via a wire connection.

8. Claims 21, 27, and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stein, Rydbeck, and Bryson and further in view of Shin (US 6,006,109).

Regarding claims 21, 27, and 29, Stein, Rydbeck, and Bryson disclose the system according to claim 19, 25, and 28 respectively, wherein Stein, Rydbeck, and Bryson do not disclose the communication device further comprises a headphone jack. Shin discloses a communication device comprising a headphone jack (522). It would have been obvious to one of ordinary skill in the art at the time the invention was made to substitute the headset link of Rydbeck et al with a headphone jack in order to allow the user to listen via a wire connection.

9. Claim 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stein Rydbeck, and Bryson and further in view of Adams et al (US 2007/0,004,372).

Regarding claim 22, Stein, Rydbeck, and Bryson disclose the system according to claim 14, wherein Stein, Rydbeck, and Bryson do not disclose the communication device is adaptable for a wired connection to the peripheral device. Adams et al disclose the communication device is adaptable for a wired connection to the peripheral device (para. 40). It would have been obvious to one of ordinary skill in the art at the time the invention was made to substitute the wireless connection of Rydbeck for a

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wired connection from the communication device to a peripheral device in order for the user transfer data via a serial line interface to the peripheral device.

Regarding claim 23, Stein, Rydbeck, Bryson, and Adams et al disclose the system according to claim 22, wherein Adams et al disclose the wired connection is a USB, serial, parallel or firewire connection (para. 40).

Regarding claim 24, Stein, Rydbeck, and Bryson disclose the system according to claim 14, wherein Stein inherently disclose the mobile phone wafer has an on/off switch operatively connected to the transceiver unit and the communication device comprises at least one of a short range radio frequency transceiver and a headphone jack (short range transceiver for communicating headset link). Stein, Rydbeck, and Bryson do not disclose the communication device is configured for a wired connection to the peripheral device. Adams et al disclose the communication device is adaptable for a wired connection to the peripheral device (para. 40). It would have been obvious to one of ordinary skill in the art at the time the invention was made to substitute the wireless connection of Rydbeck for a wired connection from the communication device to a peripheral device in order for the user transfer data via a serial line interface to the peripheral device.

Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lana N. Le whose telephone number is (571) 272-7891. The examiner can normally be reached on M-F 9:30-18:30.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward F. Urban can be reached on (571) 272-7899. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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6-08-07

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